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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mark T. KEATING et al.

Serial No. 09/258,217 Examiner: S-L. Chen

Filed: February 26, 1999 Group Art Unit: 1633

For: MICE WHICH ARE +/- OR -/- FOR THE ELASTIN GENE AS MODELS FOR VASCULAR DISEASE

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Office Action mailed July 25, 2000, Applicants request reconsideration and allowance of all remaining claims in view of the following amendments and remarks:

IN THE CLAIMS

Please amend the following claims:

--1. A mouse comprising ~~a~~ genome comprising a) exactly one functional elastin gene and b) ~~either~~ one nonfunctional mouse elastin gene or no second elastin gene.--

--3. A mouse cell comprising a genome comprising a) ~~exactly one functional elastin gene~~ and b) one ~~nonfunctional~~ mouse elastin gene or no second elastin gene.--

REMARKS

Rejections Under 35 U.S.C. § 102(b)

Claims 2 and 4 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Sechler et al. Claim 2 is directed to a mouse comprising a genome with no functional elastin gene. Claim 4 is directed to a mouse cell comprising a genome with no functional elastin gene.

The Sechler et al. publication teaches inserting a mutated rat elastin gene into an otherwise normal mouse. The transgenic mice comprise 2 wild-type elastin genes (the normal chromosomal genes) and a mutated rat gene (the one that was inserted). Therefore, the transgenic